

**Regular Meeting of the Legal Committee
Held in the Roswell Convention & Civic Center
Thursday, May 28, 2020**

Notice of this meeting was given to the public in compliance with Section 10-15-1 through 10-15-4 NMSA and Resolution 19-37.

ROLL CALL

The meeting convened at 4:00 p.m. with Chair Stubbs presiding, Councilors Peterson, and Perry being present, and Councilor Foster being absent.

Staff present: Parker Patterson, Bill Morris, Juanita Jennings, Phil Smith, Mike Stanton, Scott Stark, Mark Bleth

Guests present: Isaac Sheets, Mike Espirtu

APPROVAL OF AGENDA

Councilor Perry moved to approve the May 28, 2020, Legal Committee meeting agenda as presented. Councilor Peterson as a second. A voice vote was 3-0, and the motion passed with Councilor Foster being absent.

APPROVAL OF MINUTES

April 23, 2020, Legal Committee minutes were approved as written.

REGULAR ITEMS

1. RAC Agreements

A. The FIS Company, Inc. – Mark Bleth and Isaac Sheets stated that the FIS Company, Inc., a New Mexico Corporation, wishes to enter into a new lease agreement for an area of land located between hangar 1532 and hangar 1533. The FIS Company, Inc. requests the area of land, 19,000 square feet, more or less, for the purpose of constructing an aircraft hangar for aircraft component repair and storage. Term is July 1, 2020 through June 30, 2050. Rent amount is \$348 monthly; \$4,176 annually for the first year, thereafter rent will increase annually by CPI-Urban all cities average or 3%, whichever is greater. Councilor Perry moved to recommend to full City Council on the consent agenda with Councilor Peterson as the second. A voice vote was 3-0, and the motion passed with Councilor Foster being absent.

2. Resolution 20-XX Mayor's Row Grant Authority – Scott Stark stated that the resolution authorizes the Mayor to accept funding assistance from the Federal Aviation Administration on behalf of the City of Roswell. The resolution is necessary in order for the ROW to apply for and receive FAA grant funds and is presented to the governing body annually. Councilor Perry moved to recommend to full City Council on the consent agenda with Councilor Peterson as the second. A voice vote was 3-0, and the motion

passed with Councilor Foster being absent.

3. Resolution 20-XX City Manager's ROW Authority – Scott Stark stated that the resolution authorizes the City Manager to apply for, accept and execute Grant Agreements for funding assistance from the State of New Mexico Aviation Division on behalf of the City of Roswell for project development at the Roswell Air Center. The resolution is presented to the governing body annually. Councilor Perry moved to recommend to full City Council on the consent agenda with Councilor Peterson as the second. A voice vote was 3-0, and the motion passed with Councilor Foster being absent.
4. Resolution 20-XX Special Event Parking Policy – Juanita Jennings stated that the City of Roswell makes available to the public upon request certain of its parking facilities for vehicle parking and related activities associated with special events held within the City by private groups. The proposed policy would provide a uniform guideline for requested parking on or at City facilities for such special events, including setting fees for use of City parking facilities. The Policy would set fees for use of City parking facilities for Special Event Parking at \$25 per day, and \$50 for overnight. The item was referred back to staff for further consideration.
5. Economic Development Corporation Agreement – Juanita Jennings stated that the Roswell-Chaves County Economic Development Corporation (EDC) works in partnership with the City of Roswell to promote economic development by providing support for businesses to relocate, expand or launch in Roswell and Chaves County. Pursuant to the proposed agreement, EDC would provide business retention, recruitment and expansion services, as described in Exhibit A to the agreement and would be subject to quarterly and annual reporting requirements set forth in Exhibit B. Pursuant to the Contract, the City would commit to allocate \$75,000 for services by EDC and make available a further \$25,000 for special projects specified and pre-approved by the City Manager. EDC will invoice the City quarterly for services under the Scope of Work and may be reimbursed for approved special projects. Councilor Perry moved to send the Agreement to full City Council on the consent agenda, with two corrections: strike out the line directly underneath Technical Services and change the allocation on Item 4, Section D: Compensation, to read \$96,000 instead of \$75,000. Councilor Peterson was the second. A voice vote was 3-0, and the motion passed with Councilor Foster being absent.
6. Ordinance 20-XX Revising Airport Ordinance – Bill Morris stated that The Airport Advisory Commission has undertaken a comprehensive review and revision of the Aviation Chapter of the Roswell City Code. The ultimate goal would be to pare down the Ordinance of unnecessary and out dated provisions to allow more efficiency in the operations of the Air Center. This portion of the proposed amendments would amend the Zoning Code to empower the City to restrict private development within the runway protection zone in order to prevent hazards to aviation activities at the Roswell Air Center. Councilor Perry moved to send to full City Council on consent agenda. Councilor Peterson was the second. A voice vote was 3-0, and the motion passed with Councilor Foster being absent.

FOR THE RECORD: Recess at 5:10 will resume at 5:15.

7. Ordinance 20-XX Home Occupations – Bill Morris stated that staff created these amendment as a result of a number of situations concerning setback issues in older platted subdivisions, as well as issues with home occupation permits. Home occupations, particularly with construction companies, have become a problem by degrading quality of life for adjacent properties. The intent is to look at limiting placement of certain types and numbers of larger vehicles. No action was taken on this item, which will be continued to the June meeting due to lack of a quorum.

FOR THE RECORD: Councilor Peterson left at 5:56. Coming out of recess at 6:23 pm. Ordinance 20-XX Home Occupations, Ordinance 20-05 Lodger's Tax Update and the Ordinance 20-XX Revising Solid Waste Ordinance to be continued to the June Legal Committee Meeting

8. Ordinance 20-05 Lodger's Tax Update – Continued to the June meeting.
9. Ordinance 20-XX Revising Solid Waste Ordinance – Continued to the June meeting.
10. DOJ Edward Byrne Justice Assistance Grant – Parker Patterson stated the City is applying for federal funding through the Department of Justice's Edward Byrne Justice Assistance Grant. The JAG program authorizes federal justice funding to state and local jurisdictions. To comply with the grant requirements, the City must submit its application for review by an organization designated by the governing body and provide the public an opportunity to comment. The item was presented for discussion only. There were no public comments. No action was taken.
11. Department Reports – Air Center, City Clerk, Human Resources, Legal, Safety. For discussion only.

CHAIR COMMENTS, REPORTS, ANNOUNCEMENTS

None

PUBLIC PARTICIPATION

None

ADJOURN

The meeting adjourned at 6:25 p.m.